

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA**

**CHIEF HEARING OFFICER DIRECTIVE**

**DOCKET NO. 2021-114-E ORDER NO. 2021-141-H**

**NOVEMBER 2, 2021**

**CHIEF HEARING OFFICER: David Butler**

**DOCKET DESCRIPTION:**

**Petition for Declaratory Order with Verification of Orangeburg County Solar Project, LLC and Orangeburg South Solar Project, LLC both Wholly Owned Subsidiaries of Savion, LLC**

**MATTER UNDER CONSIDERATION:**

**Petition to Intervene of Carolinas Clean Energy Business Association**

**CHIEF HEARING OFFICER'S ACTION:**

**This matter comes before the Chief Hearing Officer on the Petition to Intervene of Carolinas Clean Energy Business Association ("CCEBA" or "the Petitioner"). CCEBA asserts that the oral argument held before the Public Service Commission of South Carolina ("the Commission") on October 20, 2021 raised issues of precedent, application of previous Dockets, the Commission's jurisdiction, and the applicability of the Utility Facility Siting and Environmental Protection Act, S.C. Code Ann. Section 58-33-10 et seq. CCEBA states that these issues necessitated the organization's proposed intervention in this Docket.**

**Under Commission regulation, the Commission must determine whether or not the petitioning party has clear factual support or grounds for the proposed intervention. S.C. Regs. 103-825A(3) requires that parties filing a Petition to Intervene in a matter pending before the South Carolina Public Service Commission must set forth clearly and concisely:**

- (a) The facts from which the nature of the petitioner's alleged right or interest can be determined;**
- (b) The grounds of the proposed intervention;**
- (c) The position of the petitioner in the proceeding.**

**The Petition notes that CCEBA is organized for the purpose of promoting and advocating public policy positions supportive of solar power generation in North and South Carolina. CCEBA is a 501(c)(6) organization representing all types of businesses in the clean energy sector, including developers, manufacturing, engineering, construction, professional and financial services, and non-energy businesses wishing to purchase clean energy. With over 50 members, including most of the utility scale solar developers in North and South Carolina, CCEBA monitors and participates in energy policymaking in both Carolinas. CCEBA has appeared as an intervenor in multiple dockets in North Carolina under its prior name: North Carolina Clean Energy Business Alliance. In South Carolina, CCEBA**

**has assumed the role previously filled by the South Carolina Solar Business Alliance (“SCSBA”), and has been substituted as party in interest in over two dozen Commission Dockets. CCEBA asserts that the issues of precedent, application of previous Dockets, the Commission’s jurisdiction, and the applicability of the Utility Facility Siting and Environmental Protection Act, S.C. Code Ann. Section 58-33-10 et seq raised in the October 20, 2021 oral arguments are substantial issues and developments, and that these issues will have a material impact upon it.**

**The grounds for Petitioner’s Petition is that Petitioner has substantial and specific economic interests in the Petition filed in this Docket and this Commission’s decision thereon. Furthermore, CCEBA states that its interests cannot be adequately addressed by any other party. Also, according to CCEBA, Petitioner’s Intervention will aid this Commission, by assisting in the development of a full and fair record to address the important decision to be made in this Docket.**

**As for its position, CCEBA asserts that it will be directly and substantially affected by the outcome of this proceeding and Petitioner’s business interests will be directly and financially impacted by this Commission’s resolution of the subject matter of this Docket. Further, CCEBA notes that granting the Petition would be consistent with the policies of the Commission encouraging maximum public participation in issues before it.**

**Pursuant to these assertions, this Hearing Officer holds that CCEBA has successfully satisfied the criteria for intervention stated in the Commission Regulation. Its interest in this matter can clearly be discerned, as can the grounds for the intervention, and its position. There are no objections to the intervention. Further, the intervention is timely, since no deadline has been set. Accordingly, the Petition to Intervene of CCEBA is hereby granted in this Docket. This ends the Chief Hearing Officer’s Directive.**